

What Women Want (Australia) Inc.



SUBMISSION

Productivity Commission

Inquiry into Paid Maternity, Paternity and Parental Leave (2008)

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Executive Summary

Rebecca Gallegos & Justine Caines on behalf of and for What Women Want (Australia) Inc.

What Women Want (Australia) Inc. (WWW) is a political party dedicated to advancing issues affecting Australian women. The party works to ensure that more women have input into important policies that shape the development and direction of the country.

The WWW Party strongly believes in a national paid parental leave scheme and proposes that a six month paid maternity leave scheme be introduced, a further six month unpaid leave be made available for either parent and that a two week paid paternity leave for fathers be introduced. This payment should be at the minimum award wage with the top up to the individuals actual income being paid by their employer.

WWW proposes the following **key recommendations**:

- 1. That a Government funded paid maternity, paternity and parental leave is established in Australia for a period of six months.**
- 2. That the payment be matched at full time hours at the federal minimum wage with a 'top up' to the individuals actual income be funded by their employer.**
- 3. That full-time, part-time and casual employees be entitled to this nationally funded paid maternity; paternity and parental leave scheme.**
- 4. That women be given the choice to decide when to start their maternity leave.**
- 5. In addition to six months paid leave, a further six months un-paid leave be made available for either parent to take up.**
- 6. That two weeks paid paternity leave be offered for fathers.**
- 7. That Government funded paid maternity leave be separate from social security or welfare payments and the baby bonus.**
- 8. That parents have the option of returning to work part time or with flexible working conditions that do not disadvantage their position within the workplace.**
- 9. That the Government takes steps to ensure that there are facilities in the workplace for women to breastfeed.**
- 10. That the Productivity Commission and Government research, compare, analyse and investigate models of paid maternity leave in other countries.**
- 11. That at the very minimum a 14 week paid maternity leave for all employees be introduced and funded by the Government.**

Introduction

What Women Want (Australia) Inc. (WWW) is a political party dedicated to advancing issues affecting Australian women. The party works to ensure that more women have input into

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important policies that shape the development and direction of the country. WWW are particularly concerned with issues such as:

- Increasing and promoting greater participation from women of all ages, particularly in Australian Parliament
- Policies made by Government that affect the health and well-being of women
- Practical policies that support working women and their families
- Improving maternity services across Australia
- Affordable and accessible childcare
- Sustainable environments for the future
- Affordable housing

Bringing a new face to politics WWW was founded in March 2007 by Justine Caines, registering as a political party with the Australian Electoral Commission in August 2007. The party ran 18 candidates in Senate and Lower House positions in the 2007 Federal Election. With only three months post registration the party secured approximately 67,000 votes. After only ten months of officially being a registered political party, membership numbers to the WWW party have almost reached 800 and the Party feels that it is well on its way to representing the needs of Australian women. The Party welcomes membership from people of different backgrounds, ages and interests and does not exclude membership from men.

WWW comprises of a National Council who oversees the national organisation and appoints the National Election Campaign Committee. The Party aims to grow nationally by establishing local branches, electorate groups and state party organisations. Copies of the Party's Constitution and Charter are available to download from the party's web-site at <http://www.whatwomenwant.org.au>.

The WWW Party strongly believes in a national paid parental leave scheme and is grateful for the opportunity to write this submission into the Productivity Commission's Inquiry into Paid Maternity, Paternity and Parental Leave.

The Party feels that woman want and need a compatible work life and that new families need special support, particularly during pregnancy and the first five years of their children's life. Paid maternity leave is just one policy area that can aid in providing this support that new families need and deserve.

The purpose of this submission is to address the impacts and effects of a nationally funded paid maternity leave scheme in Australia.

By comparing the value of a paid employee and the value of the job of raising a child/children, WWW aims to demonstrate how a national Government funded paid maternity leave policy will increase the participation of women in the workforce. The submission will also cover specific details such as funding, maternity health care and maternity leave policies in other countries.

The submission will also include a list of recommendations that WWW believe should be actioned by the Productivity Commission and the Government as soon as possible.

WWW would like to acknowledge the contribution that Rebecca Gallegos and Justine Caines have made to this submission into the Inquiry on Paid Maternity, Paternity and Parental Leave.

1. Proposed Paid Maternity, Paternity & Parental Leave Scheme

Paid maternity leave for all women employees has been a policy issue that has often been brought up for public debate, particularly since 2002 when Senator Stott-Despoja first proposed a bill for a national paid maternity leave scheme. Now more than ever working Australian families need increased support from the Government to meet the financial demands of raising a new family.

WWW proposes that there should be a national paid parental leave scheme that provides new mothers with a wage for the first **six months** of their child's life. The World Health Organisation recommends exclusive breastfeeding for the first six months of a baby's life so combining the needs of a newborn with the commitment of full time, part time or casual work can clearly become problematic. While women should always be given a choice to decide what is best for them and their newborn in regards to breastfeeding, it is important that all women be provided with the opportunity to take a period, ideally six months, of paid maternity leave.

Women should be able to choose whether to take this period of time off before the birth or after and must not be forced to take maternity leave before the birth. If a woman is deemed fit to, she should be able to choose whether to continue to work until just before the birth. One of the reasons that paid maternity leave exists is to help a woman 'recover' from birth and to establish and develop essential early parenting skills such as bonding and hopefully breastfeeding.

As well as six months paid maternity leave, a further six months un-paid leave, taken up by either parent should also be part of a national maternity and parental leave scheme.

Any parental leave policy should also seriously consider a Government funded two-week paid leave period for fathers. This could be taken up at any time of the paid maternity leave period; either at the same time or at the end of the maternity leave period. Paternity leave taken towards the end of the mother's paid maternity leave will enable an extra period of time before formal child-care needs to be used.

In contemporary society we hear much about sharing the responsibility of parenting. This is not happening in reality. Many studies and surveys reveal that women are working longer hours than ever when their paid and unpaid roles are combined. In order to positively 'shift the culture of parenting responsibility' it is important to recognise the vital role fathers play in the life of their children. Outside of the public sector paternity leave is scarcely utilised. By enshrining two weeks paid leave and a six month unpaid component, (in the second 6 months of a child's life) for either parent, we act to promote the role of a father and make an impact on workplace culture in relation to paternity leave.

According to the 2002 Human Rights and Equal Opportunity Commission's (HREOC) report, "A Time to Value", the number of two income families had risen from 50.2 per cent of all couple families with dependent children in 1987, to 56.3 per cent by 1997. By 2000, this proportion had risen to 63 per cent of couple families with dependent children. Replacing part of the family income during the first six months of a child's life is essential in today's economy with the cost of living and owning a home on the increase. It is important that women are not disadvantaged financially when they bear children.

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Government funded paid maternity leave should be separate from social security or welfare payments and the baby bonus should still apply to those who meet the requirements for the baby bonus means test. Moves to scrap the baby bonus to fund a paid parental leave scheme should be seriously assessed.

At the **very minimum**, Australia should have at least 14 weeks paid maternity leave for *all* women employees (full-time, part-time and casual) funded by the Government at minimum wage with a top up being paid by the employer.

2. Participation and Value of Women in the Workforce

In the last twenty years women have joined the workforce in increasing numbers and now make up almost half of the Australian work force. Combining work with motherhood is something that should be supported by both employees and the Government. Paid maternity leave encourages women to return to the work after giving birth, therefore increasing the participation of women in the workforce. Many women leave full-time employment and the labour force altogether to care for children. Statistics from the Australian Bureau of Statistics showed that in August 2003, the proportion of women aged 25-29 years who were full-time ongoing employees was 42%, compared to 25% for women aged 35-39 years. These percentages may indicate a trend that many women aged 35-39 are having children at a later age and either leave work or return to work on a part-time or casual basis to care for children.

The Australian Bureau of Statistics website (www.abs.gov.au) also stated that in all age groups (except 15-19 year olds), men engage predominantly as full-time ongoing employees and while this is also the case for women, the proportion of women who are full-time ongoing employees is lower for all age groups compared with men. The proportion of women who are part-time ongoing or casual employees is also higher compared to men. It is important to realise that all women need to be recognised in the workforce and that also includes the high percentage of women employed on a casual basis, particularly in Retail and Hospitality Industries. According to a recent report from the Equal Opportunity for Women in the Workplace Agency, only 7 per cent of the retail sector offers paid maternity leave. All women employees, including casuals, should have the right to be supported and recognised by a nationally funded paid maternity leave scheme.

The Australian Bureau of Statistics state that the median age a woman first bears a child is now 30 years, a figure that has risen significantly over the course of the past generation. The proportion of women aged 25-29 who have not had a child increased from 40 per cent in 1986, to 53 per cent in 1996. A fast growing group of new mothers is those aged 35 and over, with the parenting age for men also on the increase. This rising trend of smaller families at older ages can be contributed to the insufficient support for working families in the form of paid maternity leave and a lack of access to flexible working arrangements. Lack of paid maternity leave also contributes to the high rate of part time employment among women aged 35-39 and low rates of women participating in the workforce in general.

Although female representation in the labour force has increased, female political representation has not followed that same labour market trend. Because women are more likely to interrupt their careers for child-rearing and other family commitments, they often become disadvantaged when compared to men (Iversen & Rosenbluth, 2007).

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Currently women make up only 18 percent of parliamentary seats around the world. The average for the Lower House & Senate (or Upper House) combined is only 15.4 percent for the Pacific region, which is significantly less than all other regions apart from Arab States (Inter-Parliamentary Union, 2008). In Australia, 36.8 percent of members of the senate are female and while the number of female representatives is slowly on the increase, the current figure has only risen by a mere 3.9 percent in the last ten years. On Election Day in November 2007, the percentage of female representation in the House of Representatives was only 26.7 percent. (Australian Bureau of Statistics, 2008). Although Australian women were the first to win the right to run for parliament in 1902, neither house had a woman elected until 1943.

Rwanda, Sweden, Cuba, Argentina, Costa Rica, Mozambique, South Africa, Uganda, Peru and Afghanistan all have a higher percentage of females within the Lower House compared to Australia (Inter-Parliamentary Union, 2008). Although Australia has much more similar percentages of female representation in the Senate, it seems that Australia has been 'left behind' in female representation. Historically for Australia, a poor workplace culture has unfortunately always existed in regards to the participation of women in parliament and also still remain within other areas such as C.E.O's and management.

At present, there is a large gap between genders when considering the number of individuals in high paid positions such as company C.E.O's, managers and especially within politics. Women in the 22-44 year old age bracket are part of the economic workforce but are often bypassed for these roles by companies. This is usually because employers view this age bracket as the time a women is most likely to have children and women are often discriminated against simply because they decide to have a family. Family and work life balance should be initiatives taken up by the Government if they are serious about improving support for parents with newborn children.

Changing workplace cultures and perceptions in regards to the roles that both men and women play is something that would increase female workplace participation and also involve men more in the role of fatherhood. Offering men, as well as women, paid maternity/paternity leave is one step that could potentially change the perceptions around parental leave in the workplace. The need for changing work structures to suit both male and female roles in parenting has to be recognised if a change in culture is to occur. This 'culture change' will be difficult if paid maternity leave is not offered to all women and men.

Often there is less or no value placed on the job of raising a child compared to the value of being a paid employee. Our society values people in terms of how much money they are paid in their job, but rarely does it consider the value of parenthood. If we were to discuss the job of parenting (especially in the first few years of a child's life where they are most dependent on a mother and father's care), in terms of monetary value, it would most likely be equal if not more than that of a paid employee. Offering maternity and paternity leave to all women and men at least places an emphasis on the job that parents do particularly the role that women play.

3. Effects of a Paid Maternity Leave Scheme on Employers

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Paid maternity leave has positive effects for employers which they will certainly benefit from in the long term. As the national skills shortage continues, the Government and employers should be focusing on measures that attract and retain employees. Paid maternity leave provides incentive for women to return to the workforce and for a national paid maternity leave scheme to be effective, employees need to work with the Government to 'top up' the gap between the minimum and actual wage. When replacing an employee, the employer often loses money through the high costs of re-training, recruitment and potential loss in productivity. When all these costs are balanced out with the amount that a maternity leave top up would cost we would not be talking about huge sums of money. (An estimated cost given by the ACTU was approximately \$2,000 or less, as an average).

Women returning to the workforce actually save employers money. Examples of companies that have successful paid maternity leave arrangements in place include:

- Holden
- The Australian Federal Police
- Shell Australia
- The University of South Australia
- ANZ Banking Group
- ING Direct

Paid maternity leave has also recently been introduced to Myer and ALDI. St Vincent De Paul has also introduced 14 weeks paid maternity leave to staff in its second hand shops, making it the first charity in Australia to offer paid maternity leave.

WWW would also like to see improved communication and negotiations between staff and their employers. Assistance in helping women employees with issues such as pregnancy at work, how to prepare for parental leave and how to keep in touch while on maternity leave should also be offered along with paid maternity leave. Ensuring that these balances between childcare and work are prioritised has only positive effects for employers and their staff.

4. Health benefits of Paid Maternity Leave for Mother and Newborn

Paid maternity leave for women will allow the mother to recover from the birth and care for her newborn without the stress of financial difficulty that can result from not being offered paid maternity leave.

The post-birth health of the mother and the development of young children, particularly within the first 2 years of their life are important. Recognising that breastfeeding is also an important part of child health and development is also something that needs to be taken into consideration when discussing the health benefits of maternity leave.

Research on breastfeeding have indicated that returning to work impacts the decision on the initiation and duration of breastfeeding. Women who return to work (especially full time) breastfeed for less time than those who don't, breastfeeding also tends to stop near the month of returning to work and many mothers report returning to work as a reason for stopping breastfeeding. Breastfeeding is important for the health of a newborn.

Breastmilk has a protective effect and has been linked to reducing instances of sudden infant death syndrome, asthma and Crohn's disease. Breastmilk is known to enhance cognitive development and neurodevelopment (Baker & Milligan, 2006).

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New parents face difficult decisions about many aspects of bringing a newborn into the world. If deferring work has positive impacts on increasing the duration of breastfeeding as many studies have indicated, then the Government should be supporting initiatives such as nationally funded paid maternity leave.

Studies have found that the extension of weeks of job-protected paid leave has significant affects of decreasing infant mortality rates with the largest affect relating to post-neonatal infant mortality rates (death rates between 28 and 365 days) with a ten-week extension in paid leave possibly decreasing post-neonatal mortality rates by 4.1% (Tanaka, 2005). In that particular study, it also compared the effects of unpaid leave and found that if leave is provided without adequate payment or job protection is has little or no significant effect on improving infant health.

The financial impacts and pressures on young families often see new mothers returning to work before they are ready to. Stress comes with added health risks for any individual, but for a new mother who may also still be physically and mentally recovering from childbirth, the added stress of financial worries and returning to work before six months is becoming problematic for many Australian women. Many women are genuinely concerned about the affect that returning to work has on their newborn.

Coping with the separation of mother and child is also a concern for mothers and fathers who may have to leave their infant at childcare facilities. The high cost of full time childcare due to lack of paid maternity leave is a factor in deciding when to return to work. The current system of employer funded maternity leave only leaves a large number of women in disadvantaged positions in terms of their health and the health of their child. These disadvantaged women in the community are not being provided with adequate choice in the decisions that affect what should be a special time in their lives and in the lives of their partners.

5. Returning to Work after Paid Maternity Leave

Women should not be disadvantaged in their ongoing career because they decide to start a family. The Government and employees should take steps to ensure that women can still manage an ongoing career as a working parent.

According to a survey completed by www.careermums.com.au, one of the biggest challenges parents face when returning to work is a lack of self-confidence. As stated by Kate Sykes of [careermums.com](http://www.careermums.com), low self confidence levels often goes hand in hand with the disconnect between work and home while on parental leave. WWW support practical solutions that address these issues and believe that the Government and employers should be taking more initiative to provide support directed at women returning to work after maternity leave.

In consultations and forums conducted by the HREOC in 2002, work and life balance was described as an issue of serious concern and still is today. The forums concluded that the role of men in families needs increased recognition and support. Men as well as women generally support greater involvement with their new families.

HREOC also reported that fathers were voicing their concerns about having to work longer hours in an effort to compensate the family's income during this period.

The lack of paid maternity leave in Australia sees many women returning to work much earlier than they would like to. Financial pressure is a likely reason for the significant number of women who return to work with young infants. In a survey of its members, The Finance Sector Union

Rebecca Gallegos & Justine Caines on behalf of and for What Women Want (Australia) Inc. reported that nearly half of the respondents indicated that they might have to return to work earlier than they would like because of their financial situation.

Returning to work has an impact on breastfeeding for new mothers, even women who return to work on a part-time or casual basis experience problems with being able to breastfeed. Research based on a 2004 study led by Melbourne University, La Trobe University and the Murdoch Children's Research Institute found that the rate of breastfeeding was lower for women who had returned to work part-time as well as those who had returned full-time. As reported by The Sydney Morning Herald, a lack of paid maternity leave, workplace support, privacy for breastfeeding, fatigue, inflexible work hours and unsupportive employees have contributed to low rates of women continuing to breastfeed.

WWW support family friendly working arrangements and more support for working mothers upon returning to work after maternity leave. WWW also support positive changes in the workplace such as flexibility in working hours and facilities that enable women to breastfeed in private.

6. Maternity Care Health & The Baby Bonus

WWW acknowledges that healthcare is not the subject of this inquiry. It would be re-miss however not to acknowledge the current maternity health system, particularly major funding flaws that promote if not lead women to expensive specialist care when the majority of them do not require it.

Many women in receipt of the baby bonus actually use this money to fund their maternity health care. Currently around 30% of women are cared for by private Obstetricians, most of these women will find a 'gap' in the cost of care versus that paid by their private insurer. A loss in the baby bonus would mean further financial pressure at a vulnerable time.

WWW believes in access to safe and sustainable public healthcare for all Australians. Maternity care accounts for the greatest number of hospital bed stays. It is important that such a high volume area of health promotes wellness and enables women to have choice. This is currently not the case in Australia. A pregnant woman in Australia is unable to choose a midwife under the Medicare scheme, and yet she can choose a specialist obstetrician. This approach is unprecedented in every other area of health (except perhaps cosmetic surgery) where consumer's clinical needs are matched to the health professional.

Maternity health care is directly related to maternity leave as we want women to be well and healthy, not spending half the time of leave physically recovering. Supporting Australia's new Mothers with paid maternity leave is a very positive move. We must ensure, however that the policy surrounding this is holistic.

We need to also acknowledge the maternity health system. The maternity health system is in need of urgent repair. It is a medically dominated system that leaves 30% of women recovering from major abdominal surgery. If a 14 week scheme was introduced women who had given birth via caesarean section could spend half of their maternity leave recovering from surgery.

7. Paid Maternity, Paternity Leave in other Countries

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Recently the Government has been discussing a proposition to “slug” workers \$5.70 per week to fund a six-month paid maternity leave scheme for new mothers. WWW believes that the Australian Government should not be disadvantaging ordinary workers to fund maternity leave policy, as it is already hard enough for working families to make ends meet. There is so much money being wasted that is pouring into a doctor heavy maternity system. Australia should be using tax money smarter rather than fleecing workers.

The Netherlands spends less per head on healthcare than Australia yet their maternity dollar (Euro actually) affords exemplary quality maternity care plus 64 hours of in home care (childcare, housework etc). They also have a statutory entitlement to maternity leave, paid at more than 50% of earnings. This model of maternity leave and health care seems to leave Australia and the United States of America (USA) behind. Australia and the USA spend the highest amount of money per head for health care and are the only two countries in the Organisation for Economic Co-operation and Development (OECD) that do not offer nationally funded maternity leave entitlements.

Australia is the only OECD country that has no statutory maternity leave, most countries, except for the USA and South Korea, set a certain percentage of wage replacement ranging from 50% to 100% (The Clearinghouse on International Developments in Child, Youth and Family Policies at Columbia University, 2002 as cited in Tanaka, 2005). Paid maternity leave is internationally recognised. The United Nations Convention states that all parties signed to the Convention shall take appropriate measures to introduce maternity leave with pay or with the comparable social benefits without loss of former employment seniority or social allowances. Australia has a reservation in place in regards to this condition and is not bound on implementing it. Although employer paid maternity leave is increasing in Australia, there still exists a large percentage of employees who are not offered any paid maternity leave.

The first maternity leave law was enacted in Germany in 1883 with national leave policies being introduced in Ireland and the United Kingdom (UK) in 1998 and 1999. Other countries such as France, Norway, Peru and the Netherlands offer social security funded maternity leave and countries such as Guatemala, Mozambique and Switzerland either share the cost between the employer and social security or by the employer alone.

As stated by the European Foundation for the Improvement of Living and Working Conditions website (www.eurofound.europa.eu), under Sweden’s 1995 Parental Leave Act, a female employee is entitled to full-time leave of absence from work for 14 weeks. She is also entitled to time off for the purpose of breastfeeding. Germany has 14 weeks paid leave at 100 percent of a women’s earnings funded by the Government at minimum wage with the employer paying the difference to make up the 100 percent.

Most developed countries generally provide between two and six months maternity leave paid between 80 to 100 percent of a women’s wage. Developing countries also have policies in place to fund paid maternity leave for women employees.

WWW acknowledges that there are specific differences between countries’ political, social, cultural backgrounds and economic and health care policies. However, research into other nation’s maternity leave policies could provide the Government with greater understanding, analysis and comparison to enable them to create the best policy and system that works for Australia.

Conclusion

As stated by the HREOC, families are facing increasing time and financial pressures in a less certain environment. The economic, social and cultural changes that Australia has experienced within the space of a generation mean that now, more than ever before, there is a need to support families and parents combining work and family commitments. The implementation of a Government funded paid maternity leave for six months, together with six months un-paid leave and a further two weeks paid paternity leave for fathers is the proposed policy that WWW is offering to the Productivity Commission.

A large number of women often return to work earlier than six months for financial reasons and this has been proven to have detrimental affects on the health and wellbeing of mother and child. The negative affects on the duration of breastfeeding are also one of the consequences of the lack of paid maternity leave being offered in Australia.

With a national skills shortage we must utilise every willing worker to his or her capacity. Many women return to work at a level considerably lower than their previous position or their experience and attained education. There is a pervasive culture that women become 'walking reproductive time-bombs' with little value after the announcement of a pregnancy. If our Federal Government demonstrates the importance of keeping mothers in the workforce, it stands to reason that employers will too.

If a national scheme is adopted where the Government funds a minimum wage and the employer 'tops it up' to the salary of their employee there is an investment in promoting a family friendly workplace for the woman's return. By a major public policy shift the potential for smaller but similarly important shifts in workplace culture emerge.

Recommendations

What Women Want (Australia) Inc. recommends the following:

- 1. That a Government funded paid maternity, paternity and parental leave is established in Australia.**
- 2. That the said maternity leave be for a period of six months.**
- 3. That the payment be matched at full time hours at the federal minimum wage with a 'top up' to the individuals actual income be funded by their employer.**

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4. That full-time, part-time and casual employees be entitled to this nationally funded paid maternity, paternity and parental leave scheme.

5. That women be given the choice to decide when to start their maternity leave.

6. In addition to six months paid leave, a further six months un-paid leave be made available for either parent to take up.

7. As part of a Government funded paid maternity, paternity and parental leave scheme, a two week paid leave period for fathers, taken up at any time of the paid maternity leave period should be introduced.

8. That Government funded paid maternity leave be separate from social security or welfare payments and the baby bonus.

9. That the baby bonus be retained.

10. That women in the workforce be acknowledged valued and supported.

11. That women returning to work after maternity leave be supported in the workplace.

12. That parents have the option of returning to work part time or with flexible working conditions that do not disadvantage their position within the workplace.

13. That the Government takes steps to ensure that there are facilities in the workplace for women to breastfeed.

14. That the Productivity Commission and Government research, compare, analyse and investigate models of paid maternity leave in other countries.

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